

AMENDED

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office DEC 22 1988
 Returned to applicant for correction JAN 27 1989
 Corrected application filed MAR 24 1989
MAR 24 1989 under 52804
 Map filed _____

The applicant Joe B. Fallini, Jr., Helen L. Fallini and Susan L. Fallini

_____, of Twin Springs via Tonopah,
 _____, Street and No. or P.O. Box No. _____, City or Town
Nevada 89049, State and Zip Code No. _____, hereby make application for permission to appropriate the public
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a
 copartnership or association, give names of members.) _____

1. The source of the proposed appropriation is Pedro Spring
 _____, Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.032 _____ second-feet
 _____, One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet _____

3. The water to be used for Stockwater
 _____, Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated _____

(b) Stockwater, state number and kinds of animals to be watered 1000 cattle, 25 horses

(c) Other use (describe fully under "No. 12. Remarks") _____

(d) Power:

(1) Horsepower developed _____

(2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T.2N., R.50E.,
 _____, Describe as being within a 40-acre subdivision of public
M.D.B. & M., or at a point from which the NE Cor. Sec. 4, T.1N., R.50E., M.D.B.
 survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
& M. bears S14°28' E a distance of 8,825 feet.

6. Place of use SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T.2N., R.50E., M.D.B. & M.
 _____, Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1 _____ and end about December 31 _____, of each year.
 _____, Month and Day _____, Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
 specifications of your diversion or storage works.) spring source
 _____, State manner in which water is to be diverted, i.e. diversion structure, ditches and
 flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$1,000.00

10. Estimated time required to construct works completed
 If well completed, describe works.
11. Estimated time required to complete the application of water to beneficial use 2 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

/s/ Bruce L. Rice
 P.O. Box 130
 By Smith, Nevada 89430

Compared kh/ pas am/se

Protested 6-9-89 by U.S.D.I.-B.L.M.
 Pro. Overruled 1/23/90, Ruling No. 3672

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is subject to State Engineer's Ruling No. 3672 dated January 23, 1990.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.032 cubic feet per second, or sufficient to water 1000

head of cattle and 25 horses.

Work must be prosecuted with reasonable diligence and be completed on or before December 31, 1992

Proof of completion of work shall be filed on or before January 31, 1993

Application of water to beneficial use shall be made on or before December 31, 1994

Proof of the application of water to beneficial use shall be filed on or before January 31, 1995

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed MAR 8 - 1993 IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed FEB 10 1995 State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 31st day of December

Cultural map filed A.D. 1990

Certificate No. 14126 Issued JUN 13 1995

[Signature]
 State Engineer